

Document #4938A

8/13/87

ADOPTED 8/13/87

BOSTON REDEVELOPMENT AUTHORITY

July 16, 1987

DEVELOPMENT PLAN AND

DEVELOPMENT IMPACT PROJECT PLAN

PLANNED DEVELOPMENT AREA NO. 29

Bounded by Longwood Avenue and Binney Street,
by a private way (Shattuck Street) and private parcels

Boston, Massachusetts

THE CHILDREN'S HOSPITAL CORPORATION

Developer and Owner: The Children's Hospital Corporation, 300
Longwood Avenue, Boston, Massachusetts (the "Hospital").

Architect: Ellenzweig Moore and Associates, Inc., 1280
Massachusetts Avenue, Cambridge, Massachusetts, or such other
architects as may be designated by the Hospital.

Description of Planned Development Area: The area for which
the Hospital applies for Planned Development Area designation
(the "PDA") is described on Exhibit A hereto. It is located on
the southerly side of Longwood Avenue and is bounded generally
to the north by Longwood Avenue, to the east by land of
President and Fellows of Harvard College ("Harvard"), to the
south by the center line of Shattuck Street, land of The
Brigham and Women's Hospital, Inc., and land of Dana Farber
Cancer Institute, Inc., and on the west by Binney Street.

General Description of Project and Project Site: The Hospital
proposes to erect an addition to its Enders Research Laboratory
(the "Enders Building") at the northwest corner of the PDA, at

the corner of Longwood Avenue and Binney Street. This new construction, and the land under it, are referred to hereinafter as the "Project". The rest of the PDA is referred to hereinafter as the "Remainder of the PDA". The Project is to contain approximately 142,800 square feet of gross floor area (unless otherwise indicated, all building square footages herein are FAR square footages, i.e., after deduction of the exclusions permitted in Section 2-1[21] of the Zoning Code). In conjunction with the Project, there will be limited renovation of the Enders Building, designed primarily to integrate it with the new addition. There is a small one-story structure (332 Longwood Avenue, 7585 s.f.) which will be demolished to make way for the Project; the demolition will leave intact a small part of the existing facility located on the Project site, on the main and two subsurface levels, to be integrated with the Project.

Employment Plans: It is anticipated that the Project will generate an average of approximately 138 construction jobs with a peak construction employment of approximately 220 and that the Project will produce a net increase of approximately 300 permanent employees. The Hospital has submitted to the Director of the Authority a Boston Residents Construction Employment Plan, which satisfies the requirements of the Mayor's Executive Order Extending the Boston Residents Jobs Policy dated July 12, 1985 and the requirements of the Ordinance Establishing the Boston Employment Commission set

forth in Chapter 12 of the Ordinance of 1986, as amended by Chapter 17 of the Ordinances of 1986. The Hospital will also formulate an Employment Opportunity Plan, providing for the Hospital's good faith efforts to achieve a goal that 50 % of permanent employment opportunities created by the Project shall be made available to Boston residents, as more fully described in, and subject to, the DIP Agreement referred to hereinafter.

Development Impact Project Contribution: The Project is a "Development Impact Project" under the Boston Zoning Code and, as required thereunder, the Hospital will enter into a Development Impact Project Agreement with the Authority for the Project (the "DIP Agreement"). Under the DIP Agreement, the Hospital shall be responsible for making a Development Impact Project Contribution (the "DIP Contribution") with regard to the Project. The DIP Contribution shall be made, at the Hospital's option, by (i) the grant and payment by the Hospital of a sum of money, payable at the times and in the manner and under the conditions specified in the DIP Agreement (referred to in Section 26A-3 of the Zoning Code as the "Housing Contribution Grant" but payable at the rate set forth in Section 26(2)(3)(a) of the Zoning Code), (ii) the creation by the Hospital of low and moderate income housing units at a cost at least equal to the amount of the Housing Contribution Grant and under the conditions specified in the DIP Agreement (referred to in said Section 26A-3 as the "Housing Creation Option"), or (iii) a combination of items (i) and (ii) above.

Should the Hospital's obligation with regard to the DIP Contribution be satisfied solely in the form of a Housing Contribution Grant, total payments from the Hospital would equal approximately \$214,000, calculated as follows:

Total Gross Square Footage of Uses Enumerated in Table D of Article 26A of the Code	142,800
Less Exemption	100,000
Net Gross Square Footage for Purposes of Payment	42,800
	x <u>\$5</u>
Total Housing Contribution Grant:	\$214,000

Jobs Contribution Grant: As required under Section 26B-3 of the Zoning Code, and as required under the terms of the DIP Agreement, the Hospital shall also be responsible for making a Jobs Contribution Grant with regard to the Project, in the manner and under the conditions specified in the DIP Agreement. The Jobs Contribution Grant will equal approximately \$42,800, calculated as follows:

Total Gross Square Footage of Uses Enumerated in Table E of Article 26B of the Code	142,800
Less Exemption	100,000
Net Gross Square Footage for Purposes of Payment	42,800
	x <u>\$1</u>
Total Jobs Contribution Grant:	\$42,800

Estimated Construction Time: The Project will be developed in a single, continuous phase with a duration of approximately 31 months from the start of construction.

Permitted Uses: The PDA may be used for the following uses: hospital, clinics, professional offices, laboratories, parking, the keeping of laboratory animals, and incidental uses and services in connection with the above uses (such as gift shop, restaurant and snack bar, outpatient pharmacy and similar uses now or hereafter established) for the convenience of patients, visitors and staff. The Project is part of the PDA and thus subject to the foregoing possible uses but as designed is expected to be occupied for a research laboratory including facilities for laboratory animals, to include offices, conference rooms, laboratory facilities, a small auditorium and similar areas accessory to the principal research laboratory use.

Proposed Location and Appearance of Structures: The location and appearance of the Project shall generally conform with the plans by the Architect listed on Exhibit B hereto. These plans are subject to further design review and refinement and are hereby incorporated herein by reference and are referred to herein as the "Plans". The Project is to be an addition to the Enders Building and is to be located at the southeast corner of Longwood Avenue and Binney Street. The lower three floors of the Project plus a transfer level of the Project will be aligned with the existing structure along Longwood Avenue, in order to continue the line of lower structures along the Avenue. The upper eleven floors of research spaces plus mechanical spaces above will be set back from Longwood Avenue

so as to lessen the impact of the structure on views along the street. There are also two below-grade levels.

Exterior materials on the upper floors of the Project and along Binney Street will be precast concrete with individual punched windows in each floor. The precast concrete will be similar in color to the adjacent structures. Mechanical spaces and equipment on the roof will be treated in a sculptural manner to reduce the apparent height of the structure. The lower floors along Longwood Avenue will be pre-cast concrete, stone or masonry, or a combination thereof, with glazed openings. The Plans show stairs leading into the Longwood Avenue entrance; the exact treatment of the entranceway may be altered after further design collaboration between the Hospital and the Authority.

The structures in the Remainder of the PDA shall remain substantially in location and appearance as they are now, except for repair, renovation and replacement not involving an increase in gross square footage and except that the Hospital may complete construction of its in-patient facility (the "New In-Patient Facility") (generally to the south of the area proposed for the Project). The Plans shall not be deemed to restrict the Hospital as to lay-out or other matters inside the Project.

Proposed Location and Appearance of Open Spaces and

Landscaping: The Project fills virtually its immediate area and is adjoined by sidewalks along Longwood Avenue and Binney Street. In the Remainder of the PDA a number of landscape improvements are proposed or under construction as part of an overall collaborative plan among medical area institutions. At the Longwood Avenue entrance, landscape improvements will soften the edge of the existing structure. Streetscape improvements along Children's Road (also known as Children's Way) will improve the environment for pedestrians at the rear of the Hospital. Landscape improvements at the entrance to the New In-Patient Facility will constitute the initial step in creating Children's Place, a new front door to the medical center. In connection with the entrance to the Hospital's New In-Patient Facility, the Hospital recognizes the desirability of removing the Plaza and Main Levels of "Enders East" (the two story portion of the existing Research Facility) making possible the development of a raised entry court, and, subject to financial and other constraints, the Hospital is committed to the improvement of the Children's Place area (including the removal described above) concurrently with the next substantial building project (or substantial building expansion) within the PDA after the erection of the Project. Otherwise, in the Remainder of the PDA, the landscaping and open spaces are to remain substantially as they are now.

Densities: The total land area of the PDA is 349,200 square feet (not including any portion of Shattuck Street). The PDA contains some land in a B-4 zone and a larger area of land in an H-3 zone. The floor area ratios resulting therefrom are as follows:

<u>Zone</u>	<u>Zone Area</u>	<u>Allowable FAR</u>	<u>Allowable Gross Fl. Area</u>
B-4	51,025	4	204,100
H-3	298,175	3	894,525
	349,200		1,098,625

Upon completion of the Project and the New In-Patient Facility, the gross floor area within the PDA will be as follows:

Total existing gross floor area	911,577
Project:	
Removal of 332 Longwood Avenue	(7,585)
New Construction	142,800
	1,046,792 $\pm$

Upon completion of the Project and the New In-Patient Facility, the remaining capacity for construction within the PDA will be 51,833 sq. ft. $\pm$

Proposed Traffic Circulation: Access to the PDA is provided by Longwood Avenue and Binney Street, and by private ways on Meadow Lane (the passageway which separates the Hospital's land from Harvard's, at the easterly boundary of the PDA), Shattuck Street (via Shattuck Street Extension, or if that should become unavailable, via Children's Road), Blackfan Street and Children's Road. Children's Place, an extension of Blackfan

Street from Longwood Avenue, provides automobile access to the central part of the PDA, and a fire lane connects this way to Binney Street. Access to the Project will be from Longwood Avenue, Binney Street and Children's Place. Binney Street may be widened by approximately two feet as part of the construction of the Project; a similar widening of Longwood Avenue, principally at the corner of Binney Street, is under consideration.

Proposed Parking Facilities: There are approximately 14 parking spaces in the Remainder of the PDA, including handicapped and emergency drop-off spaces. Otherwise, parking for the PDA is provided at nearby and remote parking facilities. The Vanasse Hangen Brustlin study referred to hereinafter estimates a need for an additional 90 parking spaces as a result of the Project. The parking facilities outside the PDA will be as follows:

Childrens Hospital parking supply	1,756 spaces
Demand from existing facilities	1,588 spaces
Additional demand from Project	90 spaces
Excess of supply over demand after construction of Project	78 spaces

In addition to spaces in the Hospital's inventory, visitors and employees have access to a large supply of MASCO public parking spaces.

Proposed Loading Facilities: Within the PDA there will be three main locations for off-street loading. Currently, virtually all loading occurs at facilities located off Meadow Lane, at the Hunnewell and Fegan buildings. Upon completion of the New In-Patient Facility, a second loading area will be opened on Children's Road near Binney Street. The Project will also include a loading area off Binney Street. The new loading area is located so as to avoid interference with loading facilities for the Galleria across Binney Street.

Access to Public Transportation: The following facilities of the Massachusetts Bay Transportation Authority serve the PDA:

- Arborway Branch of the Green Line, running from Park Street to Forest Hills with a stop at Longwood Avenue.
- Riverside Branch of the Green Line, running from Lechmere Square, Cambridge, to Riverside Station, Auburndale, whose Longwood stop is about one-half mile from the PDA.
- Orange Line commuter rail, stopping at the Ruggles Station, scheduled to open May 3, 1987.
- Bus Route No. 60, running from Chestnut Hill, Newton, to Kenmore Square, with a stop on Brookline Avenue.
- Bus Route 65, running from Brighton Center to Kenmore Square, with a stop on Brookline Avenue.
- Bus Route 66, running from Dudley Station on the Orange Line to Union Square, Allston, with a stop at Brigham Circle.
- Bus Route No. 47, running from City Hospital to Cambridge with stops on Longwood Avenue.

In addition, the MBTA operates, under contract with the Town of Brookline, a minibus line which loops through Brookline and crosses over into the medical area, with a stop at Pilgrim and Francis Streets, and MASCO provides minibus service from Harvard Square.

Proposed Dimensions of Structures: The dimensions of the structures of the Project are shown on the Plans. Structures in the Remainder of the PDA shall, as to their dimensions, be as described in the paragraph entitled "Proposed Location and Appearance of Structures" above.

Development Review: The Authority requires submission of design drawings for review and approval at three phases in the design review process in accordance with submission requirements normally followed by the Authority:

- a. Schematic Design Drawings;
- b. Design Development Drawings and Outline Specifications; and
- c. Working Drawings and Final Specifications.

The proposal has received approval of the Schematic Design Drawings. The design and dimensional requirements of the Project as approved by the Authority may be subject to minor modification as the result of continuing development review. Design Development Plans and Final Working Drawings and Specifications approved by the Authority shall be conclusively deemed to be in conformity with this Development Plan and Development Impact Project Plan.

Boston Civic Design Commission: The Project is subject to Article 28 of the Boston Zoning Code, requiring review by the Boston Civic Design Commission. Copies of the schematic project plans for the Project were submitted to the Commission on June 22, 1987 for review pursuant to said Article 28.

Environmental Review: On June 19, 1986, the Hospital wrote to the Secretary of Environmental Affairs concerning the applicability of the Massachusetts Environmental Policy Act to the Project. The Secretary responded, under date of July 25, 1986, that a Notice of Project change would be appropriate. Copies of both letters are attached as Exhibits C and D, respectively. A Notice of Project Change addressing the issues raised in the July 25, 1986 letter, has been submitted and a copy is attached hereto as Exhibit E.

In part as a reaction to the above correspondence but also to inform itself, the Hospital has engaged in a substantial environmental review of the Project. This review has resulted in the following reports, copies of which have been supplied to BRA staff:

- a) Transportation Impact Study & Access Plan, Childrens Hospital Research Expansion, Boston, Massachusetts dated January 1987 by Vanasse/Hangen, Inc., as updated by letter dated May 4, 1987.
- b) The following prepared by HMM Associates, Inc. with respect to the Project:

- (i) Potential Wind Climate Report dated January 1987, and Shadow Study dated January 1987, both as updated by letter dated April 28, 1987.
- (ii) Downwash Report dated May 1987, as updated by letter dated April 28, 1987.

Proposed Dimensions of Structure: The dimensions of the structures of the Project are shown on the Plans. Structures in the remainder of the PDA shall, as to their dimensions, be as described above under the heading Proposed Location and Appearance of Structures.

Zoning: The PDA contains land in a B-4 District (approximately 51,025 sq.ft. along Longwood Avenue). The rest of the PDA is in an H-3 District (approximately 298,175 sq.ft.). Zoning descriptions and a list of required exceptions for the Project are on Exhibit F hereto.

Legal Information: The entire PDA is owned by the Hospital. There are no legal judgments or actions pending which involve the Project.

Impacted Neighborhood: The neighborhood or neighborhoods where or adjacent to where the Project is located, for purposes of Section 26A-2(3)(c) and Section 26B-2(3)(G), providing that 20% of the Housing Contribution and Job Contribution Grants are reserved therefor, are described on Exhibit G hereto.

PDR-27487-01/27/87

List of Exhibits

- Exhibit A - Description of PDA
- Exhibit B - List of Plans
- Exhibit C - June 19, 1986 letter to Secretary of
Environmental Affairs
- Exhibit D - July 25, 1986 letter from Secretary of
Environmental Affairs
- Exhibit E - Notice of Project Change dated May 4, 1987
(without Exhibits thereto)
- Exhibit F - Zoning Descriptions and Required Exceptions
- Exhibit G - Impacted Neighborhood

EXHIBIT A

PDA Description

The proposed PDA will encompass the following parcel of land on the southerly side of Longwood Avenue in Boston, Suffolk County, Massachusetts:

Beginning at a point at the southeasterly corner of Longwood Avenue and Binney Street;

Thence by said Longwood Avenue southeasterly and then more easterly, across Blackfan Street, and continuing by said Longwood Avenue to land now or formerly of President and Fellows of Harvard College (the center line of a sixteen foot wide passageway), approximately 553 feet;

Thence southwesterly by said land now or formerly of President and Fellows of Harvard College approximately 624 feet to land now or formerly of The Brigham and Women's Hospital, Inc. (the center line of Shattuck Street);

Thence northwesterly along said land now or formerly of The Brigham and Women's Hospital, Inc. (and centerline of Shattuck Street) to the northwesterly sideline of Shattuck Street, approximately 428 feet and thence continuing northwesterly, still by land now or formerly of The Brigham and Women's Hospital, Inc., by the southwesterly sideline of a right of way (said right of way being shown as "Proposed Way 15 Feet Wide" on a plan entitled "Plan of Land in Boston Mass. Roxbury District dated August 28, 1950 by William S. Crocker, recorded at Suffolk Deeds, Book 6658, Page 219), approximately 120 feet;

Thence northeasterly by the northwesterly sideline of said "Proposed Way 15 feet Wide," by land now or formerly of The Brigham and Women's Hospital, Inc., 15 feet;

Thence southeasterly, by the northeasterly sideline of said "Proposed Way 15 Feet Wide" by land now or formerly of Dana Farber Cancer Institute Inc., approximately 47 feet;

Thence by land now or formerly of Dana Farber Cancer Institute, Inc. in eight courses, as follows:

Northeasterly 34.64 feet;

Northwesterly 31.69 feet;

Northeasterly 15.25 feet;

Southeasterly .11 feet;

Northeasterly 31.67 feet;

Southeasterly 34.17 feet;

Northeasterly 29.89 feet to the southwesterly line of a way sometimes known as Children's Way and shown on said Crocker Plan as "Proposed Way 40 Feet Wide"; and

Northwesterly by said southwesterly line of said Children's Way to the southeasterly line of Binney Street, approximately 171.87 feet.

Thence northeasterly by Binney Street approximately 420 feet to the point of beginning.

EXHIBIT B

List of Plans

The following plans by Ellenzweig, Moore and Associates, Inc. most of which are entitled "The Children's Hospital Research Facility Expansion":

- "The Children's Hospital Corporation Planned Development Area" dated October 1, 1986, revised April 22, 1987, Scale 1"=40'
- "Site Plan" (Plan L1) dated April 15, 1987, revised April 22, 1987, Scale 1/32"=1'
- "Isometric" (Plan L3) dated April 15, 1987, revised June 5, 1987, not to scale
- "Sub-Basement Plan" (Plan A1) dated April 15, 1987, Scale 1/16"=1'
- "Basement Plan" (Plan A2) dated April 15, 1987, Scale 1/16"=1'
- "Main Level Plan" (Plan A3) dated April 15, 1987, Scale 1/16"=1'
- "Plaza Level Plan" (Plan A4) dated April 15, 1987, Scale 1/16"=1'
- "Transfer Level Plan" (Plan A5) dated April 15, 1987, Scale 1/16"=1'
- "Second Floor Plan" (Plan A6) dated April 8, 1987, revised April 15, 1987, Scale 1/16"=1'
- "Generic Lab Plan (3-10)" (Plan A7) dated April 15, 1987, Scale 1/16"=1'
- "Generic Upper Lab Plan (11-13)" (Plan A8) dated April 15, 1987, Scale 1/16"=1'
- "Mechanical Level 14 Plan" (Plan A9) dated April 15, 1987, Scale 1/16"=1'
- "Mechanical Level 15 Plan" (Plan A10) dated April 15, 1987, Scale 1/16"=1'
- "Perspective of View Down Longwood Ave" (Plan SKA 319) dated May 20, 1987, No Scale
- "Longwood Base Section & Plan" (Plan SKA 320) dated May 20, 1987, Scale 1/4"=1'

- "Wall Section Curved Skin Precast Concrete" (Plan SKA 321) dated May 20, 1987, Scale 1 1/2"=1'
- "Wall Section Frame Precast Concrete" (Plan SKA 322) dated May 20, 1987, Scale 1 1/2"=1'
- "Wall Section Base Precast Concrete" (Plan SKA 323) dated May 20, 1987, scale 1 1/2"=1'
- "Binney Street Elevation" (Plan SKA 326) dated May 20, 1987, Scale 1/8"=1'
- "Longwood Avenue Elevation" (Plan SKA 327) dated May 20, 1987, Scale 1/8"=1'
- "Building Profile" (Plan SKA 328) dated May 20, 1987, Scale 1/8"=1'

To the extent, if any, that matters shown on later dated plans do not appear on earlier dated plans or conflict therewith, the later dated plans control. The gross floor area of the Project as set forth elsewhere in this Development Plan and its Exhibits is subject to final certification by the Project Architect.

EXHIBIT C

The Children's Hospital • Boston

300 Longwood Avenue, Boston, Massachusetts 02115 • 617/735-6000



June 19, 1986

Honorable James S. Hoyte, Secretary
Executive Office of Environmental Affairs
Commonwealth of Massachusetts
100 Cambridge Street, 20th floor
Boston, MA 02202

Subject: The Children's Hospital
Research Laboratories Expansion
Addition and Renovation

Dear Secretary Hoyte:

Pursuant to 301 CMR 10.03:2, we respectfully request an opinion as to whether or not the subject project is categorically excluded from MEPA.

The project is to add about 165,000 square feet of new space to our existing Enders Research Laboratories, representing an increase of roughly 85%. The addition will be the same height as Enders (about 205 feet) with connections at every floor. Significant renovations to the existing Enders will also be part of the project.

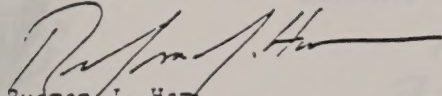
The addition will replace about 8,000 square feet of existing space in a building on the project site that will be demolished. An existing diesel generator will also be removed and will not be replaced. The project's intent is to provide more space for existing operations, meet applicable health and safety codes and meet contemporary standards for laboratory.

We believe that our project is categorically excluded for the following reasons:

- o Determination of Need not required. We have filed a Notice of Assurance for research facilities through the Department of Public Health.
- o The project is below MEPA threshold requirements for height and density.
- o Private funds will support the project although we may seek HEFA funding (which is excluded according to Section 7, Appendix C).

Therefore, we believe that our project may proceed without the necessity of filing an EIR. We would be happy to discuss this further at your convenience.

Sincerely,



Rudman J. Ham
Director of Facility Planning

RJH:lir

cc: M. Reagan, Ellenzweig Moore Associates
S. Schanoon, EMM Associates

Director of Facility Planning
The Children's Hospital
300 Longwood Avenue
Boston, MA 02115

Re: The Children's Hospital Research Laboratory Expansion

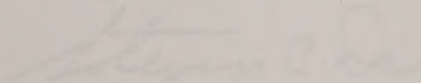
Dear Mr. Ham:

Secretary Morse provided your letter of June 19, 1974, to the NEPA staff for review. In that letter, you requested an opinion as to whether the proposed Research Laboratory Expansion was categorically excluded from NEPA. In consultation with the staff of NEPA, we have indicated that the project is exempted or not closely related to your existing Patient Care Facility. Thus a finding of Project Change under the provisions of NEPA that appears to be in order.

In that earlier review and the subsequent review of a Notice of Project Change, the staff have been of importance: the potential for disruption of service from the NEPA project and traffic and parking concerns. Your finding of Project Change would not explicitly deal with these items.

I would be happy to discuss this matter with you and can be reached at 222-1212.

Sincerely,



Steven C. Davis
NEPA Staff

EXHIBIT D



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street

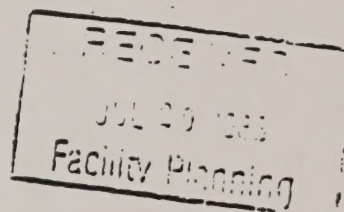
Boston, Massachusetts 02202

MICHAEL S. DUKAKIS
GOVERNOR

JAMES S. HOYTE
SECRETARY

July 25, 1986

Rudman J. Ham
Director of Facility Planning
The Children's Hospital
300 Longwood Avenue
Boston, MA 02115



Re: The Children's Hospital Research Laboratory Expansion

Dear Mr. Ham:

Secretary Hoyte forwarded your letter of June 19, 1986, to the MEPA Unit for response. In that letter, you requested an opinion as to whether the proposed Reasearch Laboratory Expansion was categorically excluded from MEPA. An examination of the history of EOE #4410 indicates that the project is adjacent to and closely related to your earlier Patient Care Facility. Thus, a Notice of Project Change under the provisions of 301 CMR 10.16 appears to be in order.

In that earlier review and one subsequent review of a Notice of Project Change, two issues have been of importance; the potential for downwash effects on emissions from the MATEP project and traffic and parking concerns. Your Notice of Project Change should deal explicitly with both of these items.

I would be happy to discuss this matter with you and can be reached at 727-5830.

Sincerely,

Steven C. Davis
MEPA Unit



EXHIBIT E

The Children's Hospital • Boston

300 Longwood Avenue, Boston, Massachusetts 02115 • (617) 735-6000

May 4, 1987

The Honorable James S. Hoyte
Secretary of Environmental Affairs
Executive Office of Environmental Affairs
Commonwealth of Massachusetts
100 Cambridge Street
Boston, Massachusetts 02202

Re: Notice of Project Change, EOEA #4410
The Children's Hospital
Research Laboratories Expansion

Dear Secretary Hoyte:

On June 19, 1986, The Children's Hospital (the "Hospital") wrote to you requesting a determination as to the applicability of MEPA to the above-referenced project. In response to that inquiry you indicated in correspondence dated July 25, 1986, that the Hospital should file a Notice of Project Change discussing changes in the plans from that originally reviewed by the MEPA Unit in connection with the earlier filing for the Patient Care Facility. We submit this letter in accordance with that request and the requirements of 301 C.M.R. 11.17 relating to Notices of Project Changes.

A. Description of Project

1. Scope of Work

The proposed work (the "Addition") involves the expansion of the existing Enders Research Facility located at the corner of Binney Street and Longwood Avenue in Boston adjacent to the previously approved Patient Care Facility. The location of the Addition is shown on the plans submitted herewith and listed on the List of Plans included herewith. The existing research building was constructed in 1971. At the time of its construction, the existing Enders facility incorporated the

The Honorable James S. Hoyte

May 4, 1987

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most sophisticated technologies available in the areas of pediatric research. However, rapid advances in technologies over the past fifteen years have rendered it out-of-date and, in addition, the Hospital needs more research space. The construction of the Addition will provide additional space and will allow the existing facility to function efficiently and effectively.

The plans for the Addition call for each of the floors of the existing Enders facility to be expanded into the Addition, thereby almost doubling their present size. The lower three floors of the Addition plus a transfer level of the Addition will be aligned with the existing structure along Longwood Avenue, in order to continue the line of the lower structures along Longwood. The upper eleven floors of research space plus mechanical space above will be set back from Longwood Avenue so to lessen the impact of the structure on views along the street. There will also be two below-grade levels. It is anticipated that Binney Street will be widened by approximately two feet in connection with the Addition and a minor widening of Longwood Avenue is also planned along the frontage of the Addition site. A small, one story building on the site will be demolished as part of the construction of the Addition.

A Fact Sheet setting forth the relevant bulk and dimensional information for the Addition is attached hereto.

2. Required State Action in Connection with the Addition:

The only state actions required in connection with the completion of the Addition will be the issuance of a Sewer Connection Permit from the Division of Water Pollution Control ("DWPC") and an Industrial User Discharge Permit from the Massachusetts Water Resources Authority; also, DEQE must approve the plans and maintenance procedures for the emergency generator for the Addition. No certificate of need is required from the Department of Public Health. A Notice for Assurance for Research Facilities has been filed with the Department of Public Health.

The Addition is presently being reviewed by the Boston Redevelopment Authority (the "BRA"). As part of the local approval process, the Hospital has submitted to the BRA an application for a Planned Development Area for an area bounded generally by Longwood Avenue, Binney Street, Children's Road, Shattuck Street and land of President and Fellows of Harvard College. This area includes the site on which the Addition will be constructed. The Hospital has also applied to the BRA

The Honorable James S. Hoyte
May 4, 1987
Page 3

for approval of a Development Impact Project Plan for the Addition. In connection with the BRA's participation in the approval process, the potential environmental impacts of the Addition (including impacts relating to traffic, downwash, wind and shadow) have been studied extensively. Copies of the materials submitted to the BRA are also enclosed herewith. As requested in your earlier correspondence, the traffic and downwash impacts are separately discussed.

A. Traffic and Parking Impacts

We also here submit a Transportation Impact Study and Access Plan by Vanasse Hangen Brustlin Inc. ("VHB"). The VHB Study was developed through a detailed scoping process with the BRA and the Boston Transportation Department, in fulfillment of the City's Access Plan requirements. As part of the VHB Study, a detailed survey of existing employees at the Enders building was conducted, and the results were used to establish expected future travel demand impacts. They concluded that only 35 percent of the employees surveyed commute to work by automobile, while 42 percent use some form of public transportation. The remainder primarily walk or bicycle to work. As a result of this and the fact that much of the parking provided by the Hospital is in off-site satellite lots, VHB concluded that "the net increase in traffic associated with the proposed research expansion is not significant."

Despite the fact that the Addition is not expected to create significant traffic impacts, the Hospital has stated its commitment to an Access Plan that provides a wide range of transportation mitigation measures. These are described in detail in the enclosed VHB Study.

With respect to parking, the VHB Study concludes that the Addition will generate a demand for an estimated 90 additional parking spaces. This additional demand, moreover, can be easily accommodated by the Hospital as a result of its recent acquisition of a 200 space parking facility in the Kenmore Square area. The new lot will be served by a shuttle bus running to the project site. As a result of these factors, the Hospital has increased its parking supply more than adequately to support the demands of the Addition. Hence, completion of the Addition should not significantly affect the present parking situation in the area of the Addition.

The Honorable James S. Hoyte
May 4, 1987
Page 4

B. Downwash Impacts

The Addition will be located approximately one-tenth of a mile northeast of the Medical Area Total Energy Plant (MATEP) which provides utility services to members of the institutional community in this area. As such, the potential for downwash effects was a consideration in the design process for the Addition. The attached Downwash Report by HHM Associates, Inc., concludes, on the basis of accepted EPA calculational procedures, that the Addition "will have no potential downwash effects with respect to the MATEP stack."

We do not believe that the construction of the Addition will significantly increase the environmental consequences of the project as initially reviewed and approved by the MEPA Unit in EOEA #4410. If this expansion were considered as a separate project, no MEPA review would be required, as none of the permit thresholds would be exceeded and the Addition would not be categorically included. Even when considered as part of the Patient Care Facility project, the Addition should not increase the scope of the earlier review since MEPA's jurisdiction over the Addition would relate only to the water and sewerage (and air pollution, as to the emergency generator) impacts of the Addition. These impacts are insignificant and should not warrant further study. Similarly, the completion of the Addition will also not significantly affect the environmental impacts identified in our earlier submittal.

Based on the above, the Hospital respectfully requests that you find that the changes in the project described above do not significantly increase the environmental consequences of the Patient Care Facility project and do not warrant resubmission of an Environmental Notification Form, rescoping, supplementary documentation or a new Environmental Impact Report.

Very truly yours,

/s/ Rudman J. Ham

Rudman J. Ham
Director of Facility Planning

Exhibits:

List of Plans and copies of the listed plans
Fact Sheet
Transportation Impact Study & Access Plan by Vanasse
Hangen Brustlin, Inc. dated January 1987, Revised
April 1987 as updated April 30, 1987

EXHIBIT 7

The Honorable James S. Hoyte
May 4, 1987
Page 5

Reports by HMM Associates Inc.
Potential Wind Climate, dated January 1987, as updated
April 28, 1987
Shadow Study, dated January 1987, as updated April 28,
1987
Downwash, dated March 1987, as updated April 28, 1987

Use Item: Table 1
Section 4-7. 1.1
allowed in a District
Development Area is
accessory to the
Hospital's main
Use (Item 21)

Accessory Use:
177. Keeping of laboratory animals
incident to an educational or
institutional use. The provisions
about noise and vibration are not
applicable.
178. Care and services incidental to
hospitals with more than 25 beds.
Accessory Uses comply with Article 18

Also, Use Item 18.
"Research Laboratory"
is allowed in a B-4
District

Dimensional Requirements

Article and Section	Required by Code	Yes or No
14-1 Min. Lot Size	None	Complied
14-2 Min. Lot Area for Addi- tional Units	None	Complied
14-1 plus 14-2 Total Lot Size	None	Complied
14-3 Min. Lot Width	None	Complied

EXHIBIT F

The Children's Hospital Corporation (the "Hospital")

Zoning Descriptions and Exceptions For Project
(Enders Research Facility Expansion)

Project is in a B-4 District,
 to become a B-4-D District if
 PDA is designated.

Use Items; Table A,
 Section 8-7, all
 allowed in a Planned
 Development Area as
 accessory to the
 Hospital's main
 use (item 22)

#24. Scientific research and teaching
 laboratories not conducted for profit
 and accessory to Use Item 22. The
 provisions about cinders, etc., noise
 and vibration are satisfied.

Accessory Use:

#77. Keeping of laboratory animals
 incident to an educational or
 institutional use. The provisions
 about noise etc. are satisfied.

#79. Uses and Services Incidental to
 hospitals with more than 50 beds.

Accessory Uses comply with Article 10.

Also, Use Item 48,"
 "Research Laboratory"
 is allowed in a B-4
 District.

Dimensional Requirements.

<u>Article and Section</u>	<u>Required by Code</u>	<u>Project</u>
14-1 Min. Lot Size	None	Complies
14-2 Min. Lot Area for Add' Dwelling Units	None	Complies
14-1 plus 14-2 Total Lot Size	None	Complies
14-3, Min. Lot Width	None	Complies

14-4, Min. Frontage	None	Complies
14-5 Bldg. on Rear of Lot	None	Complies
Art. 18 Max. Floor Area Ratio	4.0/3.0 for Lot (PDA)	Complies Floor Area Ratio 2.999 1,046,792 G.S.F. all structures on PDA, including the Project 349,200
Art. 16 Max. Height of Building	None	Complies
Art. 17 Usable Open Space Per Dwelling Unit	None	Complies
Art. 18-1 Min. Front Yard (to Longwood Ave.)	None	Complies
Art. 19 Min. Side Yard		
Easterly (to Harvard land)	None	Complies
Westerly (to Binney Street)	There is no side or front yard required in a B-4 District. However, the second sentence of Section 12-3 imposes the H-3 front yard requirements on 100 feet of the B-4 district lying next to the B-4/H-3 boundary line. Thus H-3 front yard requirements apply along Binney Street southerly from a point 100' feet southerly of Longwood Avenue.	6.33+ (or less if Binney Street is widened) VIOLATION There are three fresh air supply ducts between the building and the street line and the violation for them is accordingly greater.

Required 15' or modal
depth.

Art. 20 Min.
Rear Yard (to
Children's Way)

22.5±

Complies-225'±
to Children's
Way

Art. 20-2 Max.
Use of Rear
Yard

n/a

Complies

Art. 20-7
Through Lot

n/a (unless Shattuck
Street is considered
a "street". If the
Lot is a through Lot,
no additional zoning
violations result)

Art. 21 Min.
Setback of
Parapet

See Note 1 Below

Art. 23 Off-
Street Parking

None. PDA
is within
Restricted
Parking
District

Complies

Art. 24 Off-
Street Loading

8 for PDA as a whole
(without taking
advantage of exemption
for Pre-Code struc-
tures).

Complies
minimum of 12
provided,
including those
in the
Project.
Taken by
itself the
Project would
require 2,
complies.

VIOLATIONS

Binney Street Yard

Northerly Parapet (To Longwood Avenue)

Westerly Parapet (to Binney Street)

All the above Zoning Descriptions and Exceptions are based upon
the Zoning Code as amended through Text Amendment 86 effective
March 16, 1987 and are subject to change in the event of later
applicable amendments.

Note 1

Parapet Setback Calculations. All figures are in feet and are $\pm$.

Northerly Setback
(To Longwood Avenue)

Northerly-most wall
(grade through second
floor elev. 72.71).

Mean Grade Longwood = 22

"Free Height" (Height
below which no setback is
required, under Section
21-2) = Combined Height of
Main and Plaza Levels = 23

Height = 51 - Free Height (23) = 28

Length. (Treating as the wall the
face of the Project and the face of
the high rise portion of the existing
facility to the east thereof) - 157

$$\frac{H(28)}{6} + \frac{L^1(157)}{6} = \frac{185}{6} = 31$$

31 - 1/2 Longwood width (25)
(1/2 width of Longwood Avenue,
a public open space, per
Section 21-1 and 2-1-37) = 6 Required

6 Required, 4.54 provided
(or less to the extent
Longwood is widened) VIOLATION.

Note. If L^1 is figured so as to
include the 2 story portion of the
existing facility nearer Children's
Place, 252, a greater requirement, 22,
would result. If L^1 is figured only
along the Project wall, 77, there
would be no violation.

Wall next closest to Longwood (from grade
through tenth floor elev. 168.70).

Height = 147 - free height (23) = 124

L¹ (figured along Project and entire existing facility, worst case assumption) = 162

$$\frac{H(124)}{6} + \frac{L^1(162)}{6} = \frac{286}{6} = 48$$

48 - 1/2 Longwood (25) = 23 Required

38 provided - Complies.

Next wall (from grade through top of parapet, elv. 223.23)

Height = 202 - free height (23) = 179

L¹ (figured as above but taken to average of curve) = 140

$$\frac{H(179)}{6} + \frac{L^1(140)}{6} - \frac{319}{6} = 54$$

54 - 1/2 Longwood (25) = 29 Required

39 provided - complies.

No parapet setback is required for the roof structures above elevation 223.25 (they would comply in any event).

Westerly Setback (to Binney Street)

Westerly-most wall (grade through second floor elev. 72.71)

Mean Grade of Binney = 28

H = 45 - Free Height(23) = 22
(Because of Section 21-4, Binney Street must be considered a front lot line and therefore section 21-2b does not apply).

L¹ (treating the entire Binney Street facade as one wall, ignoring the two 4 foot setbacks, worst case assumption) = 189

$$\frac{H(22)}{6} + \frac{L^1(189)}{6} = \frac{211}{6} = 36$$

36 - 1/2 Binney Width(20) = 16 Required

6.33 provided (or less to the
extent Binney is widened)
VIOLATION

Note: if L^1 is measured for each of
the two 72.71 elevations which are set
back four feet, no violation results
for either.

Wall next closest to Binney
(from grade through tenth
floor elev. 168.70)) mean grade 25

$H=141$ - Free Height(23) = 118

$L^1 = 79$

$$\frac{H(118) + L^1(79)}{6} = \frac{197}{6} = 33$$

33 - 1/2 Binney Width(20) = 13 Required

6.33 provided (or less to the
extent Binney is widened)
VIOLATION

Wall at parapet line (elev. 223.25)

H 196 - Free Height(23) = 173

$L^1 = 154$

$$\frac{H(173) + L^1(154)}{6} = \frac{327}{6} = 55$$

55 - 1/2 Binney Width(20) = 35 required

Provided = 17 (at closest, at the rear
of the building or 37 nearest
Longwood). VIOLATION.

No parapet setback is required
for the roof structures above
elevation 223.25 (if a setback
were required, a violation might
occur, depending on the manner
of calculation)

Easterly Setback (To Harvard Land)

This is shielded by an existing building, but for calculation purposes, distances are measured at the westerly wall of the Project.

$$H = 202 - \text{free height (70)} \text{ (section 21-2b)} = 132$$

$$L^1 = 189$$

$$\frac{H(132) + L^1(189)}{6} = \frac{321}{6} = 54 \text{ required}$$

54 required, 500 Provided, Complies

Southerly Setback (To Children's Way)

$$H = 202 - \text{free height(23)} = 179$$

$$L^1 = 68.$$

$$\frac{H(179) + L^1(68)}{6} = \frac{247}{6} = 42 \text{ Required}$$

42 Required, 225 provided, Complies

EXHIBIT G

"IMPACTED NEIGHBORHOOD"

The Impacted Neighborhood, for purposes of sections 26A-2(3)(c) and 26B-2(3)(b) of the Boston Zoning Code, is the area in Boston bounded as follows:

Commencing at the intersection of Huntington and South Huntington Avenues;

Then by South Huntington Avenue to Heath Street;

Then by New Heath Street to the MBTA right of way;

Then by the MBTA right of way to Ruggles Street;

Then by Ruggles Street to Huntington Avenue;

Then by Huntington Avenue to Francis Street;

Then by Francis Street to the Riverway;

Then by the Riverway to Huntington Avenue and thence to the point of beginning.

DEVELOPMENT IMPACT PROJECT AGREEMENT

for

Planned Development Area No. ____

Bounded generally by Longwood Avenue and Binney Street, Shattuck Street (a private way) and private owners, Boston

THIS AGREEMENT dated as of July , 1987, among the BOSTON REDEVELOPMENT AUTHORITY ("BRA") on its own behalf and as escrow agent for the NEIGHBORHOOD JOBS TRUST, hereafter to be created, and THE CHILDREN'S HOSPITAL CORPORATION, (the "Hospital") a charitable corporation organized under Chapter 180 of the General Laws of Massachusetts, having an address at 300 Longwood Avenue, Boston, Massachusetts 02115.

W I T N E S S E T H:

WHEREAS, the Hospital proposes to construct an addition (the "Project") to its Enders Research Laboratory building at the southeast corner of Longwood Avenue and Binney Street, Boston, which is part of an area (the "PDA") bounded generally by Longwood Avenue and Binney Street, Shattuck Street (a private way) and various privately owned parcels in Boston, as more precisely described on Exhibit A attached hereto;

WHEREAS, the linkage policies of the City of Boston have been incorporated in Articles 26A and 26B of the Boston Zoning Code (the "Zoning Code") and the Project constitutes a Development Impact Project thereunder;

WHEREAS, the Hospital has applied to the BRA for designation of the PDA as a Planned Development Area pursuant to Section 3-1A of the Zoning Code;

WHEREAS, pursuant to the Hospital's application for designation of a PDA (the Project being a portion of the PDA), and in accordance with Articles 26A and 26B of the Zoning Code, the BRA has approved on _____, after notice and public hearing held on _____, a Development Plan for the PDA and a Development Impact Project Plan for the Project (collectively, the "PDA/DIP Plan") and has petitioned the Boston Zoning Commission to change the zoning of the PDA from H-3 and B-4 zoning districts to H-3-D and B-4-D zoning districts; and

WHEREAS, The Neighborhood Housing Trust (the "Housing Trust") referred to in Article 26A of the Zoning Code has been created by Declaration of Trust dated November 19, 1985, pursuant to an Ordinance Establishing The Neighborhood Housing Trust passed by the City Council on May 21, 1986 and approved by the Mayor on June 6, 1986, and the Jobs Trust referred to in Article 26B of the Zoning Code has not yet been created;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The BRA hereby acknowledges approval of the Development Impact Project Plan for the Project, as voted by the BRA on _____, 1987. The Hospital intends to proceed with the Project as expeditiously as possible, subject only to any circumstances not anticipated by it; if, as expected, the Hospital does proceed with the Project, it hereby agrees to do so in accordance with said Plan.

2. The Hospital shall be responsible, in accordance with the terms of this Agreement, for a Development Impact Project Contribution, as such term is presently defined in Section 26A-2(3) of the Zoning Code for the Project (the "Linkage Contribution"), in the amounts set forth in Section 3 of this Agreement. The Hospital may, at its option, satisfy its obligation for the Linkage Contribution, in whole or in part, by payment in accordance with Sections 3 and 4 of this Agreement, or by contributing to the creation of housing units for occupancy exclusively by low and moderate income residents of the City of Boston in accordance with Section 5 of this Agreement.

3. It is anticipated that construction of the Project will commence and a building permit will be issued in approximately three (3) months. The Linkage Contribution is based on the Project's approximately 142,800 square feet of gross floor area (all amounts of gross floor area in this Agreement are as calculated pursuant to Section 2-1(21) of the Zoning Code) devoted to uses enumerated in Table D of Section 26A-3-2(a) as in existence on the date hereof and accordingly, at \$5.00 per square foot, and after subtracting the 100,000 square foot exemption, shall be approximately \$214,000. The parties acknowledge that the amounts of the Linkage Contribution stated above have been based upon estimated areas for the Project. If the gross floor area as certified by the

Project Architect for the Project differs from the estimates, this Agreement shall be amended to adjust the amount of the Linkage Contribution in accordance with Article 26A of the Boston Zoning Code.

4. To the extent the Hospital shall elect to satisfy its responsibility for the Linkage Contribution by money payments, the Linkage Contribution shall be paid to the Collector-Treasurer of the City of Boston as custodian pending acceptance of such payments for the Housing Trust by the City. According to Section 26A-4 of the Zoning Code, the rate of payment of the Linkage Contribution is determined under Section 26-2(3)(a) thereof. Accordingly the "Payment Date" for the Project shall be the earlier of the issuance of a Certificate of Occupancy or twenty-four (24) months after the granting of a Building Permit with respect to the Project. Payments shall be made in twelve (12) equal annual installments, the first of which shall be on the Payment Date; subsequent installments shall be due and payable without interest on the succeeding eleven (11) anniversary dates of the Payment Date. The Authority hereby agrees that delivery of such payments to the Collector-Treasurer constitutes full satisfaction of the Applicant's obligation to make such payments.

5. To the extent the Hospital shall elect to contribute to the creation of housing units for occupancy exclusively by low and moderate income residents of the City of Boston with respect to the Project, the Hospital shall submit a proposal in writing to the BRA on or before the Payment Date, describing

the number, location, cost, and design of the housing units. The proposal shall be subject to approval by the BRA after public notice and hearing.

6. The Hospital shall be responsible, in accordance with the terms of this Agreement, for a Jobs Contribution Grant (hereinafter the "Jobs Contribution") as such term is defined in Section 26B-2(3) of the Zoning Code. The Jobs Contribution shall be made to the Collector-Treasurer of the City of Boston as custodian, pending acceptance of such payments for the Neighborhood Jobs Trust by the City. The Authority hereby agrees that delivery of such payments to the Collector-Treasurer constitutes full satisfaction of the Hospital's obligation to make such payments. The parties expect that the gross square footage of the Project devoted to uses enumerated in Table E of Section 26B-3 of the Zoning Code as in existence on the date hereof, will be 142,800. Accordingly the expected Jobs Contribution will be \$42,800 (142,800 minus 100,000 exemption x \$1.00 per gross square foot). If the gross floor area as certified by the Project Architect differs from that estimate, the Hospital shall adjust the amount of the Jobs Payment in accordance with Article 26B of the Zoning Code to reflect the change in gross floor area. The Jobs Payment shall be made in two (2) equal installments, the first of which shall be made on the issuance of the building permit for the Project and the second without interest a year later.

7. If a building permit is not granted for the Project, or any part hereof, or if construction of the Project, or any

part thereof, is abandoned after a building permit is obtained, or if a building permit for the Project, or any part thereof, is revoked or lapses and is not renewed, then the Hospital shall have no responsibility for the Linkage Contribution or the Jobs Contribution with respect to the Project (or the part thereof in question, as the case may be) and any installment of the Linkage Contribution or the Jobs Contribution already made by the Hospital shall be refunded to the Hospital in whole (or in part, as the case may be).

8. The BRA agrees that the Hospital and its successors in interest shall be liable for breaches of obligations under this Agreement with respect to the Project only while it or any successor in interest, as the case may be, is owner of the Project. The BRA further agrees to look solely to the interests in the Project of the Hospital for any claim arising under this Agreement. Neither the Hospital nor any trustee, officer, agent, or employee of the Hospital, or its successors in interest, shall ever be personally or individually liable; nor shall it or they ever be answerable or liable in any equitable proceeding or order beyond the extent of its or their interest in the Project. No holder of a mortgage on the Project shall be liable to perform, or be liable in damages for failure to perform, any of the obligations of the Hospital hereunder unless and until such holder acquires title to the Project by foreclosure or deed in lieu of foreclosure.

9. The BRA hereby agrees that, subject to the recalculation provisions contained in Sections 3 and 6 of this

Agreement, any change in the formula (amount or rate of payment) for the calculation as set forth in Sections 26A-3(2) or 26B-3(1) of the Zoning Code, or other change in the determination of the Linkage Contribution or the Jobs Contribution, shall not in any way increase the Linkage Contribution or the Jobs Contribution set forth in this Agreement.

10. The BRA acknowledges that by the signing of this Agreement the Hospital will have satisfied the requirements of Articles 26, 26A and 26B of the Zoning Code insofar as satisfaction of the requirements of those Articles is a precondition to the granting, allowing, or adopting of variances, conditional use permits, exceptions, or zoning map or text amendment with respect to the Hospital's development of the Project.

11. If the parties desire hereafter to amend this Agreement, such agreement shall be in writing and executed by the parties hereto.

12. This Agreement shall be governed by Massachusetts law, sets forth the entire agreement among the parties as to the subject matter thereof, may be amended or modified only by a writing signed by all parties, and is binding upon and inures to the benefit of the parties and their successors, assigns, and legal representatives, notwithstanding any subsequent amendment or repeal (or court decision having the effect of amendment or repeal) to or of the "linkage policies" of the City as incorporated in Articles 26A and 26B of the Boston Zoning Code.

13. If the City of Boston should hereafter impose, assess or levy any excise or tax upon the Project, the proceeds of which are dedicated, in whole or in part, to the establishment of a fund for purposes similar to the purposes recited in Sections 26A-1 or 26B-1 of the Zoning Code, amounts payable hereunder by the Hospital shall be credited against such excise or tax; provided, however, that if such crediting shall not be legally permissible to satisfy payment of such tax, or excise, the obligations of the Hospital hereunder shall, to the extent of the amount of such tax or excise, thereupon cease and be of no further force and effect.

14. The Hospital has submitted Boston Residents Construction Employment Plan to the Authority which sets forth in detail the Hospital's plans to ensure that its general contractor, and those engaged by said general contractor for construction of the Project on a craft by craft basis, meet the Boston Residents Construction Employment Standards, all as set forth in said Employment Plan.

15. The Hospital shall also formulate and submit, at least one month prior to the issuance of the building permit for the Project (or at such later time as may be accepted by the BRA), an Employment Opportunity Plan, which plan shall set forth the Hospital's good faith efforts to achieve a goal that fifty (50) percent of the permanent employment opportunities (other than positions to be held by persons holding academic or medical appointments) created by the Project shall be made available to Boston residents to the extent the goal can in good faith be

achieved without interfering with the Hospital's Affirmative Action Plan, any collective bargaining agreements, or any other employment policies or agreements to which the Hospital is or may be a party.

16. All notices and other communications under this Agreement shall be in writing and mailed by certified or registered mail, return receipt requested, to the parties at the following addresses:

BRA: Boston Redevelopment Authority
Director's Office
City Hall Square
Boston, MA 02201

With copies to:

Boston Redevelopment Authority
Chief General Counsel
City Hall Square
Boston, MA 02201

Hospital: The Childrens Hospital
300 Longwood Avenue
Boston, MA 02115
Attention: Director of Facility Planning

with copies to:

Stuart J. Novick, Esq.
General Counsel
The Childrens Hospital
300 Longwood Avenue
Boston, MA 02115

and

Rackemann, Sawyer & Brewster
One Financial Center
Boston, MA 02111
Attention: Peter W. Kilborn, Esq.

IN WITNESS WHEREOF the parties hereto have caused this instrument to be executed in their behalf by their respective

officers thereunto duly authorized as of the day and year first above set forth.

Approved as to form:

BOSTON REDEVELOPMENT AUTHORITY

Robert F. McNeil, Chief General
Counsel Boston Redevelopment
Authority

By:

Stephen Coyle, Director,
Hereunto Duly Authorized

THE CHILDREN'S HOSPITAL CORPORATION

By:

Hereunto Duly Authorized

beginning at a point at the southeasterly corner of
Longwood Avenue and Blaney Street;

Thence by said Longwood Avenue southeasterly
easterly, across Blaney Street, and continuing by said
Longwood Avenue to land now or formerly of The Brigham and
Women's Hospital, Inc. (the center line of Shattuck Street),
approximately 125 feet;

Thence southeasterly by said land now or formerly of
The Brigham and Women's Hospital, Inc. approximately 125
feet to land now or formerly of The Brigham and Women's
Hospital, Inc. (the center line of Shattuck Street);

Thence northwesterly along said land now or formerly of The
Brigham and Women's Hospital, Inc. (the center line of
Shattuck Street) to the northwesterly sideline of Shattuck
Street, approximately 125 feet and thence continuing
northwesterly, still by land now or formerly of The Brigham
and Women's Hospital, Inc., by the northwesterly sideline
of a right of way (said right of way being shown as
"Proposed Way 15 Feet Wide" on a plan entitled "Plan of
Land in Boston Mass. Eastern District dated August 18, 1910
by William S. Crocker, recorded at Suffolk Deeds, Book
6872, Page 119), approximately 125 feet;

Thence northwesterly by the northwesterly sideline of said
"Proposed Way 15 Feet Wide" by land now or formerly of The
Brigham and Women's Hospital, Inc., 15 feet;

Thence southeasterly, by the northwesterly sideline of said
"Proposed Way 15 Feet Wide" by land now or formerly of Dana
Farber Cancer Institute Inc., approximately 27 feet;

Thence by land now or formerly of Dana Farber Cancer
Institute, Inc. in eight courses, as follows:

Northeasterly 34.54 feet;

Northeasterly 31.58 feet;

Northeasterly 15.25 feet;

EXHIBIT A

PDA Description

The proposed PDA will encompass the following parcel of land on the southerly side of Longwood Avenue in Boston, Suffolk County, Massachusetts:

Beginning at a point at the southeasterly corner of Longwood Avenue and Binney Street;

Thence by said Longwood Avenue southeasterly and then more easterly, across Blackfan Street, and continuing by said Longwood Avenue to land now or formerly of President and Fellows of Harvard College (the center line of a sixteen foot wide passageway), approximately 553 feet;

Thence southwesterly by said land now or formerly of President and Fellows of Harvard College approximately 624 feet to land now or formerly of The Brigham and Women's Hospital, Inc. (the center line of Shattuck Street);

Thence northwesterly along said land now or formerly of The Brigham and Women's Hospital, Inc. (and centerline of Shattuck Street) to the northwesterly sideline of Shattuck Street, approximately 428 feet and thence continuing northwesterly, still by land now or formerly of The Brigham and Women's Hospital, Inc., by the southwesterly sideline of a right of way (said right of way being shown as "Proposed Way 15 Feet Wide" on a plan entitled "Plan of Land in Boston Mass. Roxbury District dated August 28, 1950 by William S. Crocker, recorded at Suffolk Deeds, Book 6658, Page 219), approximately 120 feet;

Thence northeasterly by the northwesterly sideline of said "Proposed Way 15 feet Wide," by land now or formerly of The Brigham and Women's Hospital, Inc., 15 feet;

Thence southeasterly, by the northeasterly sideline of said "Proposed Way 15 Feet Wide" by land now or formerly of Dana Farber Cancer Institute Inc., approximately 47 feet;

Thence by land now or formerly of Dana Farber Cancer Institute, Inc. in eight courses, as follows:

Northeasterly 34.64 feet;

Northwesterly 31.69 feet;

Northeasterly 15.25 feet;

JMS-2722N-06/06/87

Southeasterly .11 feet;
Northeasterly 31.67 feet;
Southeasterly 34.17 feet;
Northeasterly 29.89 feet to the southwesterly line of
a way sometimes known as Children's Way
and shown on said Crocker Plan as
"Proposed Way 40 Feet Wide"; and
Northwesterly by said southwesterly line of said
Children's Way to the southeasterly
line of Binney Street, approximately
171.87 feet.

Thence northeasterly by Binney Street approximately 420
feet to the point of beginning.

COOPERATION AGREEMENT

For Proposed Planned Development Area No. ____

Bounded generally to the north by Longwood Avenue, to the east by land of President and Fellows of Harvard College, to the south by the center line of Shattuck Street and by land of the Brigham and Women's Hospital, Inc., thence by land of Dana Farber Cancer Institute, Inc., and on the west by Binney Street,

Boston, Massachusetts

AGREEMENT made this _____ day of July, 1987, by and between the BOSTON REDEVELOPMENT AUTHORITY ("Authority") and THE CHILDREN'S HOSPITAL CORPORATION("the Hospital"),

WITNESSETH THAT:

WHEREAS, the Hospital proposes to erect an addition to its Enders Research Laboratory at the corner of Longwood Avenue and Binney Street (the "Project");

WHEREAS, the Hospital submitted to the Authority on February 11, 1987 a proposal seeking 1) a PDA designation for the area first described above and 2) the approval by the Authority of a Development Plan for the Project;

WHEREAS, the Authority is responsible, pursuant to Section 3-1A of the Boston Zoning Code, for the review of development proposals seeking Planned Development Area status and for supervision of developments which are approved for and granted such status by the Authority and the Boston Zoning Commission respectively; and

WHEREAS, said February 11, 1987 application also sought the approval by the Authority of a Development Impact Project Plan (DIPP) in connection with the Project;

Now therefore, in consideration of the mutual covenants and agreements herein contained, the parties hereby agree as follows:

1. The Authority will petition the Zoning Commission of the City of Boston on behalf of the Hospital to approve the PDA, the Development Plan, and the DIPP.

2. The Hospital will proceed with the planning and design of the project in a manner consistent with the development concept and land-uses discussed in the Development Plan, and the DIPP for PDA No. ____, as approved by a vote of the Authority on ____ after a public hearing on ____, notice of which was published in the Boston Herald on ____, 1987.

3. The Hospital and the Authority are now entering into an agreement under which the Hospital will make a Development Impact Project Contribution and a Jobs Contribution Grant as those terms are defined in Articles 26A and 26B of the Boston Zoning Code as amended through Text Amendment No. 86 (the "Zoning Code") respectively.

4. The Hospital has contracted with Ellenzweig, Moore and Associates, Inc., 1280 Massachusetts Avenue, Cambridge, Massachusetts (the "Architect") to provide the drawings and specifications for the Project and to furnish customary architect's services during construction.

5. The design review process to be observed by the parties from and after the date of this Cooperation Agreement shall be as set forth in a document labelled "Development

Review Procedures, City of Boston, Boston Redevelopment Authority - 1985 Revised 1986" (the "Development Review Procedures"). Capitalized terms used and not defined herein shall have the meanings ascribed to them in the Development Review Procedures.

The Authority acknowledges that the Hospital has heretofore by the submission of Schematic Design drawings for the Project, and by the signing hereof satisfied the first stage of submissions required by the Authority's Development Review Procedures. The Architect's drawings for the Project referred to on the "List of Plans" in the Development Plan have been subjected to the Development Review Procedures and approved by the Authority.

6. The Hospital represents to the Authority that the Architect is now authorized by the Hospital to proceed with the preparation of Design Development Drawings and Specifications. These drawings and specifications will be based upon the State Building Code now in effect in the City of Boston.

7. Throughout the Design Review Procedures, it is the Hospital's responsibility to promptly notify the Authority of proposed changes to public areas of the Project visible from the exterior thereof, and to open spaces and landscaping of the Project (other than refinements of detail generally consistent with such previously approved submissions), and to obtain approval from the Authority prior to incorporating them into the drawings and specifications for the Project.

8. The Authority will review and act upon such notice of changes and submissions made in accordance with the final three stages of the Development Review Procedures in the manner and for the purposes aforesaid. If the Authority finds that any such change or submission is inconsistent with prior submissions or any such submission is not sufficient, it shall notify the Hospital and its Architect of the respects in which the same is deemed to be inconsistent or insufficient. If the Authority finds that a change or submission is consistent with the Development Plan, it shall so notify the Hospital and indicate the same on the submission. The Authority shall perform its functions under this Cooperation Agreement promptly and with all reasonable dispatch and shall use its best efforts to notify the Hospital of its approval or disapproval (i) of such changes within three (3) business days after receipt thereof and (ii) of such submissions within ten (10) business days after receipt thereof.

9. Once Contract Documents for the Project have been approved, the only further submissions to be made by the Hospital to the Authority for review hereunder will be any requests for Change Orders in the construction of those items subject to Development Review Procedures that are considered to be substantial and would thus require further Authority review to determine their consistency with the Development Plan, which differ from or were not fully described in the Working Drawings, and which constitute changes to public areas visible from the exterior. The Authority shall perform its functions

under this provision promptly and with all reasonable dispatch, and shall use its best efforts to notify the Hospital of its approval or disapproval of such submissions within five (5) business days after receipt thereof.

10. The Authority will informally advise the Hospital concerning, and will actively cooperate with and publicly support, the Hospital's efforts to obtain from the Board of Appeal of the City of Boston all exceptions, and other departures from the normal application of the Zoning Code to the Development Plan and the drawings and specifications therefor which may be necessary in order to obtain issuance of all required permits. The Authority further agrees that, upon request by the Hospital, the Authority shall provide any and all certifications as may be required by the Boston Zoning Code and other applicable statutes and ordinances that the plans, drawings and specifications for the Project have been subject to Design Review and that the same are consistent with the DIPP as required by Sections 26A and 26B of the Zoning Code.

11. In connection with the entrance to the Hospital's New Inpatient Facility, the Hospital recognizes the desirability of removing the Plaza and Main Levels of "Enders East" (the two story portion of the existing Research Facility) making possible the development of a raised entry court, and, subject to financial and other constraints, is committed to the improvement of the Children's Place area (including the removal described above) concurrently with the next substantial

building project (or substantial building expansion) within the PDA after erection of the Project.

12. This Agreement is binding upon and enforceable against, and inures to the benefit of, the parties and their successors, assigns and legal representatives (including, without limitation, any successor owner or owners of the improvements). The parties agree that the Hospital has the right to transfer or assign its rights and interests in all or a portion of the project site and under this Agreement. The Authority agrees to look solely to the interests of the Applicant or its successors or assigns (including, without limitation, mortgagees) from time to time in the Project for any claim against the Hospital or its successors or assigns (including, without limitation, mortgagees) arising under this Agreement in connection with the Project. No holder of a mortgage on any portion of the Project shall be liable to perform, or be liable in damages for failure to perform, any of the obligations of the Hospital hereunder unless and until such holder acquires title to the Project by foreclosure or deed in lieu of foreclosure. Neither the Hospital nor any trustee, beneficiary, partner, stockholder, manager, officer, director, agent or employee of the Hospital or its successors and assigns (including, without limitation, mortgagees) shall be personally or individually liable under this Agreement, nor shall it or they be answerable or liable in any equitable proceeding or order beyond the extent of its or their interest in the Project.

IN WITNESS WHEREOF the parties have caused this instrument to be executed in their behalf by their respective officers thereunto duly authorized as of the day and year first above set forth.

BOSTON REDEVELOPMENT AUTHORITY

By: _____

Director

THE CHILDREN'S HOSPITAL CORPORATION

By: _____ Title

APPROVED AS TO FORM

Assistant General Counsel

MEMORANDUM

August 13, 1987
July 16, 1987-Continued

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: RICHARD GARVER, ASSISTANT DIRECTOR FOR
SPECIAL PROJECTS
LINDA S. BOURQUE, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
LARRY KOFF, COORDINATOR FOR INSTITUTIONAL PLANNING

SUBJECT: CHILDREN'S HOSPITAL; AND DEVELOPMENT IMPACT PROJECT PLAN
AND DEVELOPMENT PLAN FOR A PLANNED DEVELOPMENT AREA
DESIGNATION.

SUMMARY: Children's Hospital proposes a 142,800 gross-square-foot addition to the Enders Research Building providing enlarged and improved research space. Approval is sought for a Development Plan for a Planned Development Area designation as well as a Development Impact Project Plan. This project was favorably reviewed by the Institutional Expansion Board at its June 24th Meeting.

In 1970, Children's Hospital completed the construction of the Enders Research Building. This project was part of a campus development which also included the construction of the Children's Inn complex and an addition to the inpatient facilities. At the time the Enders Building was constructed, it was considered a modern research facility. Changes in the need for research and adjacent support space have led to the proposed development program.

The proposed addition of 142,800 gross square feet will allow for each of the floors of the existing facility to be expanded into the addition, thereby almost doubling the size of the present facility. Support spaces which are needed to service the existing and proposed research laboratories will be incorporated into the plans. The existing Enders will undergo minor renovations to accommodate the new space.

The Enders research addition was included in the Master Plan document which was presented in 1985 to the Authority during the review of the Replacement Bed Facility which is now under construction.

In June, 1986, Children's Hospital retained the architectural firm of Ellensweig Moore and Associates and the planning services of Garry Hack of Carr Lynch Associates. Prior to undertaking detailed planning for an expansion of the Enders, alternative site studies were completed. The conclusion of these studies was that an addition to Enders was the most efficient and feasible plan for providing the additional research facilities. Working with the design staff, the plans for the Enders research tower have been substantially refined so that there is a setback from Longwood Avenue, preserving view corridors from Brookline Avenue as well as Avenue Louis Pasteur. Children's Hospital filed a Schematic Design submission with the Boston Civic Design Commission for their review. This 60-day review period will terminate prior to Board of Appeal consideration of this project.

The boundaries of the proposed PDA incorporate 8.02 acres and extend from Longwood Avenue to Shattuck Street on the south. The existing zoning is B-4 and H-3. The proposed PDA overall FAR is 3. Zoning deviations relate to setback dimensional requirements. At the request of Authority staff, Children's Hospital prepared a Master Plan for their PDA campus. Within this campus, sites have been identified for possible expansion of various facilities, but no additional construction is contemplated during the next ten years.

As required under Articles 26, 26A and 26B of the Boston Zoning Code, Children's Hospital will enter into a Development Impact Project Agreement with the Boston Redevelopment Authority and the Neighborhood Housing and Jobs Trusts to make a Housing Contribution grant estimated to be \$214,000 and a Jobs contribution grant estimated to be \$42,800.

Children's Hospital, meeting with staff of the Authority and the City Transportation Department have addressed the traffic and parking issues raised by this project. At the request of Authority and City Transportation staff, Children's Hospital has prepared an Access Plan as well as an Access Plan Agreement. The following mitigation commitments are included in this plan:

- o Widening the corner of Binney and Longwood Avenue.
- o Initiation of an employee program to subsidize, 25 percent of the cost of the MBTA pass. Children's Hospital is the first institution in the Longwood Medical Area to initiate this effort.
- o Commitment to undertaking a monitoring program to achieve access goals which will increase nonvehicle trips from 59.3 percent to 65 percent and a vehicle occupancy ratio from 1.27 to 1.40.
- o Enter into a construction management plan with the Transportation Department.

Garry Hack, consultant to Children's Hospital, is preparing a strategic plan for the Hospital's future growth. This report will suggest a development program and design options for the Wentworth and Gardner House sites. A draft of the plan will be discussed with the BRA.

On June 24th Children's Hospital met with the Institutional Expansion Board to review the Enders Project. The major concern of the Board was Children's commitment to support area-wide traffic studies. Children's Hospital, through MASCO, is currently participating in a traffic study of the Longwood Medical Area. Children's Hospital has agreed to help support an expansion of this study to adjacent areas in Kenmore Square and along Huntington Avenue where Children's Hospital owns various parcels.

We therefore recommend that the Boston Redevelopment Authority approve the Development Impact Project Plan and the Development Plan for the Planned Development Area No. 29 Bounded by Longwood Avenue and Binney Street, by a private way (Shattuck Street) and private parcels, Boston, Massachusetts as presented, and authorize the Director to petition the Zoning Commission for a Planned Development Area Subdistrict designation, bounded as described.

VOTED: That in connection with the Development Impact Project Plan and the Development Plan for the Enders Addition located on a portion of the Children's Hospital Campus in the Roxbury District of Boston, presented at a public hearing duly held at the offices of the Authority on July 16, 1987, and after consideration of the evidence presented at that hearing, the Boston Redevelopment Authority finds that said Plan (1) conforms to the general plan for the City of Boston as a whole; (2) contains nothing that will be injurious to the neighborhood or otherwise detrimental to the public welfare; and (3) does adequately and sufficiently satisfy all other criteria and specifications for a Planned Development Area subdistrict designation as set forth in the Boston Zoning Code as amended;

and further

VOTED: That pursuant to the provisions of Section 3-1A of the Boston Zoning Code as amended, the Boston Redevelopment Authority hereby approves the Development Impact Project Plan and the Development Plan for the Enders Addition located on a portion of the Children's Hospital campus in the Roxbury District of Boston.

Said Development Plan is embodied in a written document entitled "Development Plan and Development Impact Project Plan" for Planned Development Area No. 29 Bounded by Longwood Avenue and Binney Street, by a private way (Shattuck Street) and private parcels, Boston Massachusetts and in a series of plans listed in Exhibit B of said document; and said plans and documents shall be on file in the office of the Zoning Department of the Authority;

and further

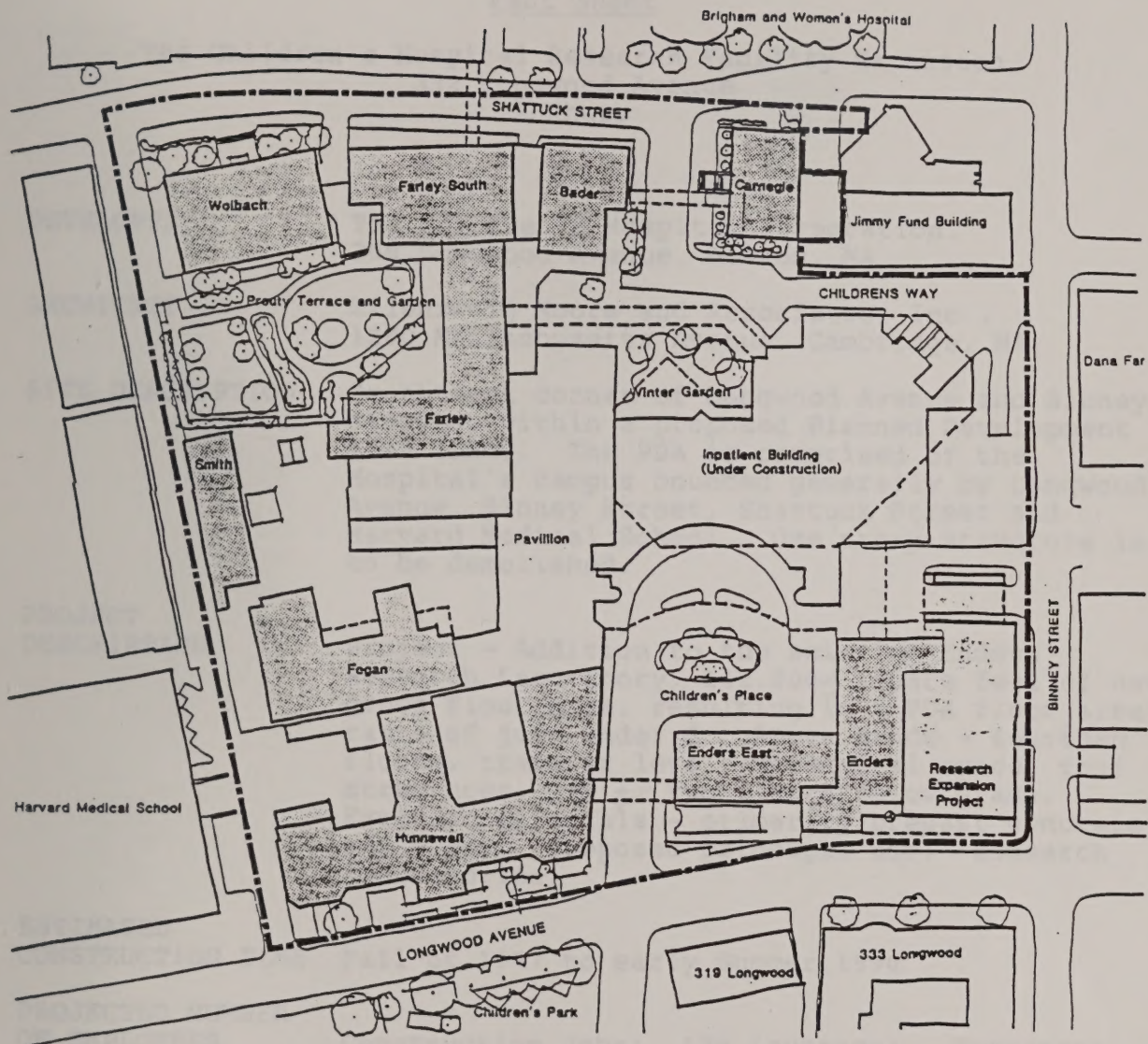
VOTED: That the Authority hereby authorizes the Director to petition the Zoning Commission of the City of Boston for a Planned Development Area subdistrict designation for the 8.02 parcel of land which is the subject of the Development Plan for Planned Development Area No. 29 Bounded by Longwood Avenue and Binney Street, by a private way (Shattuck Street) and private parcels, Boston Massachusetts; to execute in the name and on behalf of the Authority a Cooperation Agreement, as further voted below, and a Transportation Access Plan Agreement with the developer of said Planned Development Area; and to certify, in the name and on behalf of the Authority, that plans submitted to the Building Commissioner in connection with said Area are in conformity with said Development Plan;

and further

VOTED: That the Authority authorize the Director to enter into a cooperation agreement in the name of and on behalf of the Authority,

and further

VOTED: That in reference to petition(s) to be brought before the Board of Appeal by Children's Hospital Corporation for exceptions as listed in the Exhibit F for the Development Plan for Planned Development Area No. 29 Bounded by Longwood Avenue and Binney Street, by a private way (Shattuck Street) and private parcels, Boston, Massachusetts, which is approved by the Authority today, the Boston Redevelopment Authority recommends approval provided that the Zoning Commission will have adopted a Map Amendment designating the land involved as a Planned Development Area, and provided, further, that final plans be submitted to the Authority for design review to ensure that the plans are consistent with the plans previously approved by the Authority and with said Development Plan and Development Impact Project Plan and the Authority hereby authorizes the Director to certify to the Board of Appeal that the exceptions requested are in conformity with said Development plan.



Proposed Planned Development Area Children's Hospital • Boston

BOSTON REDEVELOPMENT AUTHORITY

Fact Sheet

The Children's Hospital Research Facility Expansion
332 Longwood Avenue
Roxbury

DEVELOPER	The Children's Hospital Corporation, 300 Longwood Avenue, Boston, MA
ARCHITECT	Ellenzweig Moore and Associates, Inc., 1280 Massachusetts Avenue, Cambridge, MA
SITE DESCRIPTION	South-east corner of Longwood Avenue and Binney Streets, within a proposed Planned Development Area (PDA). The PDA is comprised of the Hospital's campus bounded generally by Longwood Avenue, Binney Street, Shattuck Street and Harvard Medical School. One story structure is to be demolished.
PROJECT DESCRIPTION	Project - Addition to the existing Enders Research Laboratory, 142,800+ square feet of new gross floor area, resulting in a PDA floor area ratio of just under 3. Above grade - fourteen floors, transfer level, mechanical space, roof structures, 225'+; two floors below grade. Exterior materials - primarily precast concrete and glass. Proposed principal use: research laboratories.
ESTIMATED CONSTRUCTION TIME	Fall of 1987 to early Summer 1990
PROJECTED NUMBER OF EMPLOYEES	Construction Jobs: 138 (average). Permanent: 300. Hospital is committed to comply with employment opportunity plans.
LINKAGE	Development Impact Project Contribution (estimate) \$214,000 Jobs Contribution Grant (estimate) = \$42,800 TOTAL = \$256,800
ADDITIONAL PUBLIC BENEFITS	Widening of Binney Street and Longwood Avenue, at the corner of Binney Street are under

consideration. Longwood Avenue entrance designed to provide shelter for pedestrians waiting there.

ZONING DEVIATIONS
REQUIRED:

Yard along a part of Binney Street - 15' or modal depth required - 6'± provided (2' at air supply ducts)

Longwood Avenue Parapet Setback 6' to 22' required - 4'± provided.

Binney Street Parapet Setback 16' to 35' required - 6'± provided.

06/05/87

